IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22348 of 2004

Between:

Megacity Friends Sports & Cultural Association, at 1-10-125, Ashok Nagar, Hyderabad,,
rep by its Secretary, E. Raghundha Reddy, S/o. Raji Reddy, aged about 40 years
Resident of A-401, Sri Sai Apartments, Street NO. 8, Habsiguda, Hyderabad - 500 007.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad.
2 The Deputy Commissioner of Police, Central Zone, Hyderabad.
3 The Additional Deputy Commissioner of Police, Task Force,

Begumpet, Hyderabad.
4 The Asst. Commissioner of Police, Chikkadpally, Hyderabad.
5 The Station House Officer, Chikkadapally Police Station, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents to allow the lawful activities of the petitioner's Association and it's members while playing chess, carroms, playing cards with 13 card-rummy/stakes (skill game) Gym, etc., including the card room, by appointing an Advocate Commissioner to inspect the premises of the petitioner bearing H.No 1-10-125, Ground, 1st and 2nd Floors, Ashok Nagar, Hyderabad to check and verify the activities of the

petitioner and to submit reports of the activities of the petitioner's club to this Hon'ble Court.

Counsel for the Petitioner:MR.K.INDRA REDDY

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER Petitioner is a sports & cultural association. Its grievance is that the respondents are interfering with its activities and preventing its members from playing rummy with stakes or in syndicate.

Learned counsel for the petitioner submits that in *State of A.P. v. K. Satyanarayana*, the Supreme Court held that rummy with 13 cards is not a game of choice and it is a game of skill. He contends that Sections 3 and 4 of the A.P. Gaming Act, 1974 do not apply to such game and it falls within the meaning of game of mere skill under Section 15 of that Act.

Learned Government Pleader for Home, on the other hand, submits that under the guise of playing the game of rummy, the members of the petitioner are resorting to three cards play, which is purely the one of choice.

As part of its activities, the petitioner is maintaining a card room. It is stated that the members of the petitioner club are playing only the 13 card rummy, sometimes with stakes and sometimes in syndicate. In view of the Judgment of the Supreme Court referred to above, the respondents cannot interfere with the playing of rummy by the members of the petitioner. However, if it is noticed that the members of the petitioner are playing any game of choice, including the one with three cards, steps can certainly be taken in accordance with law to prohibit and penalize such activities.

Hence, the writ petition is disposed of directing that the respondents shall not interfere with the lawful activities of the members of the petitioner, namely, playing of rummy with 13 cards with stakes or in syndicate and in case, they are found to be playing any other game of skill, it shall be open to the respondents to take such action as is open to them in law. It is also made clear that under the guise of causing inspection, the officials or advocate-commissioners shall not be posted and the activities of the club cannot be

crippled. No order as to costs.

07.12.2004

Note:

Issue CC in three days.

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To

1 The Commissioner of Police, Hyderabad.
2 The Deputy Commissioner of Police, Central Zone, Hyderabad.
3 The Additional Deputy Commissioner of Police, Task Force,

Begumpet, Hyderabad.
4 The Asst. Commissioner of Police, Chikkadpally, Hyderabad.
5 The Station House Officer, Chikkadapally Police Station, Hyderabad.

6 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

(OUT)

7 Two CD copies.